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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/242,072	01/14/2000	Peter Anthony Miller		9520

7590

08/23/2002

Peter Anthony Miller  
See Str 27  
Leonberg, D 71229  
GERMANY

EXAMINER

CINTINS, IVARS C

ART UNIT

PAPER NUMBER

1724

DATE MAILED: 08/23/2002

29

Please find below and/or attached an Office communication concerning this application or proceeding.



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/242,072	01/14/2000	Peter Anthony Miller	

EXAMINER	
I. Cintins	
ART UNIT	PAPER NUMBER
1724	29

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Applicant's reply was received in the Office on August 16, 2002, which is after the expiration of the period for reply set in the Final Rejection mailed on March 13, 2002. In that Final Rejection, Applicant was given three months from its mailing date (i.e. until June 13, 2002) in which to respond. In the Advisory Action dated June 25, 2002, Applicant was reminded that the period for reply expires 3 months from the mailing date of the final rejection (see line "a"). Accordingly, the response filed August 16, 2002 has not been considered; and this application will become abandoned unless Applicant obtains an extension of time.

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An extension of the reply period may be obtained by filing a petition under 37 CFR 1.136(a). The petition must be accompanied by the appropriate fee as set forth in 37 CFR 1.17 (copy of current fee schedule attached). The date on which the reply, the petition, and the fee have been filed is the date of the reply and also the date for purposes of determining the period of extension and the corresponding amount of the fee due. The expiration of the time period is determined by the amount of the fee paid.

Applicant is advised that in no case can any extension carry the date for reply to an Office action beyond the maximum period of SIX MONTHS set by statute.

Applicant is further reminded (see the first paragraph of the Advisory Action dated June 25, 2002) that in order to avoid abandonment of this application one of the following proper replies must be submitted:

(1) a timely filed amendment which places the application in condition for allowance;

(2) a timely filed Notice of Appeal (with appeal fee); or

(3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to I. Cintins whose telephone number is (703) 308-3840. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

The fax phone numbers for this art unit are: (703) 872-9311 for "Official" faxes after Final Rejection; (703) 872-9310 for all other "Official" faxes; and (703) 872-9492 for "Draft" and other "Unofficial" faxes.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.



**Ivars C. Cintins**  
**Primary Examiner**  
**Art Unit 1724**

I. Cintins  
August 23, 2002

Fee Code	37 CFR	Description	Fee	Small Entity Fee (if applicable)
<b>Patent Application Extension Fees</b>				
115/215	1.17(a)(1)	Extension for response within first month .....	110.00	55.00
116/216	1.17(a)(2)	Extension for response within second month .....	400.00	200.00
117/217	1.17(a)(3)	Extension for response within third month .....	920.00	460.00
118/218	1.17(a)(4)	Extension for response within fourth month .....	1,440.00	720.00
128/228	1.17(a)(5)	Extension for response within fifth month .....	1,960.00	980.00
<b>Patent Appeals/Interference Fees</b>				
119/219	1.17(b)	Notice of appeal .....	320.00	160.00
120/220	1.17(c)	Filing a brief in support of an appeal .....	320.00	160.00
121/221	1.17(d)	Request for oral hearing .....	280.00	140.00
<b>Patent Petition Fees</b>				
122	1.17(h)	Petitions to the Commissioner, unless otherwise specified .....	130.00	
138	1.17(j)	Petition to institute a public use proceeding .....	1,510.00	
140/240	1.17(l)	Petition to revive unavoidably abandoned application .....	110.00	55.00
141/241	1.17(m)	Petition to revive unintentionally abandoned application .....	1,280.00	640.00
091	1.17(t)	Acceptance of an unintentionally delayed claim for priority .....	1,280.00	
089	1.18(e)	Filing an application for patent term adjustment .....	200.00	
090	1.18(f)	Request for reinstatement of term reduced .....	400.00	
111	1.20(j)(1)	Extension of term of patent .....	1,120.00	
124	1.20(j)(2)	Initial application for interim extension (see 37 CFR 1.790) .....	420.00	
125	1.20(j)(3)	Subsequent application for interim extension (see 37 CFR 1.790) .....	220.00	
<b>PCT Fees - National Stage</b>				
956/957	1.492(a)(1)	IPEA - U.S. ....	710.00	355.00
958/959	1.492(a)(2)	ISA - U.S. ....	740.00	370.00
960/961	1.492(a)(3)	USPTO not ISA or IPEA .....	1,040.00	520.00
962/963	1.492(a)(4)	Claims meet PCT Article 33(1)-(4) - IPEA - U.S. ....	100.00	50.00
970/971	1.492(a)(5)	Filing with EPO or JPO search report .....	890.00	445.00
964/965	1.492(b)	Claims - extra independent (over three) .....	84.00	42.00
966/967	1.492(c)	Claims - extra total (over twenty) .....	18.00	9.00
968/969	1.492(d)	Claims - multiple dependent .....	280.00	140.00
154/254	1.492(e)	Oath or declaration after twenty or thirty months from priority date .....	130.00	65.00
156	1.492(f)	English translation after twenty or thirty months from priority date .....	130.00	
<b>PCT Fees - International Stage</b>				
150	1.445(a)(1)	Transmittal fee .....	240.00	
151	1.445(a)(2)	PCT search fee - no U.S. application .....	700.00	
153	1.445(a)(2)	PCT search - prior U.S. application .....	450.00	
152	1.445(a)(3)	Supplemental search per additional invention .....	210.00	
190	1.482(a)(1)	Preliminary examination fee - ISA was the U.S. ....	490.00	
191	1.482(a)(1)	Preliminary examination fee - ISA not the U.S. ....	750.00	
192	1.482(a)(2)	Additional invention - ISA was the U.S. ....	140.00	
193	1.482(a)(2)	Additional invention - ISA not the U.S. ....	270.00	
<b>PCT Fees to WIPO or EPO</b>				
800		Basic application fee (first thirty pages) .....	382.00*	
801		Basic supplemental fee (for each page over thirty) .....	9.00*	
803		Handling fee .....	137.00*	
899		Designation fee per country .....	82.00*	
802		International search (EPO) .....	846.00*	

\* WIPO and EPO fees subject to periodic change due to fluctuations in exchange rate. Refer to the *Official Gazette of the United States Patent and Trademark Office* for current amounts.

**PAYMENTS FROM FOREIGN COUNTRIES MUST BE PAYABLE AND IMMEDIATELY NEGOTIABLE IN THE UNITED STATES FOR THE FULL AMOUNT OF THE FEE REQUIRED**